

IAP6 Rec'd PCT/PTO 01 SEP 2006

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 125192.00501
INTERNATIONAL APPLICATION NO. PCT/JP2004/016276	INTERNATIONAL FILING DATE 27.10.2004 (27 October 2004)	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/591521</b>
TITLE OF INVENTION HUMAN CELL STRAINS FOR PROTEIN PRODUCTION, PROVIDED BY SELECTING STRAINS WITH HIGH INTRACELLULAR PROTEIN AND MUTATING WITH CARCINOGENS		
APPLICANT(S) FOR DO/EO/US Hiroharu Kawahara		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li><li>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: Copy of IPRP/Annex (19 pp.); International Search Report (3 pp.)</li></ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (or by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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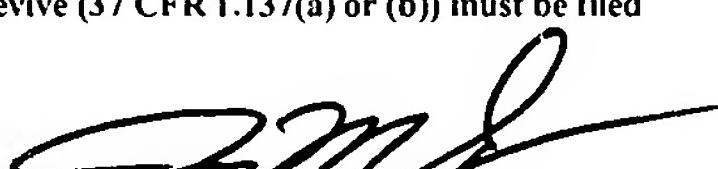
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U.S. APPLICATION NO. (if known, see 37 CFR 1.8)		INTERNATIONAL APPLICATION NO. PCT/JP2004/016276		ATTORNEY'S DOCKET NUMBER 125192.00501	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300					
22. <input checked="" type="checkbox"/> Examination fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200					
23. <input checked="" type="checkbox"/> Search fee If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by and ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400 All other situations ..... \$500					
TOTAL OF 21, 22 and 23 = \$1000					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets 23	Extra Sheets 0	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100 =	/50 =		x \$250.00	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20-20 =	0	\$0		
Independent claims	3-3 =	0	\$0		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0		
TOTAL OF ABOVE CALCULATIONS = \$1000					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 1.27. The fees indicated above are reduced by $\frac{1}{2}$ .					
SUBTOTAL = \$500					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE = \$500					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					
TOTAL FEES ENCLOSED = \$500					
Amount to be refunded:					
Amount to be charged:					
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$500 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0436</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Pepper Hamilton LLP 500 Grant Street, 50 <sup>th</sup> Floor Pittsburgh, PA 15219 Telephone: (412) 454-5000 Facsimile: (412) 281-0717					
 <u>James M. Singer</u> NAME 45,111 REGISTRATION NUMBER					

10/591521  
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

APPLICANTS: HIROHARU KAWAHARA

TITLE: HUMAN CELL STRAINS FOR PROTEIN PRODUCTION,  
PROVIDED BY SELECTING STRAINS WITH HIGH  
INTRACELLULAR PROTEIN AND MUTATING WITH  
CARCINOGENS

SERIAL NO.: NOT YET ASSIGNED

ATTORNEY REF: 125192.00501

DATE OF DEPOSIT: September 1, 2006

EXPRESS MAIL NO. EV472062181US

I HEREBY CERTIFY THAT THIS PATENT APPLICATION IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE VIA UNITED STATES POST OFFICE EXPRESS MAIL UNDER 37 C.F.R. § 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP PCT, THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Vicki L. James  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

Documents Sent:

- Transmittal Letter Under 35 U.S.C. 371 (2 pp., IN DUPLICATE)
- Copies of International Application as published (WO 2005/083060) (26 pp.);
- Copy of International Search Report (3 pp.);
- Application Data Sheet (3 pp.)
- Check in the amount of \$500.00
- Preliminary Amendment (7 pp.)
- Information Disclosure Statement, Form 1449 Substitute (5 pages), and copies of non-US references
- Declaration and Power of Attorney (2 pp.)
- Copy of IPRP/Annex (19 pages).